



02-16-07

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Zahorik et al.

**Serial No.:** 10/647,634

**Filed:** August 25, 2003

**For:** METHODS FOR SELECTIVE  
REMOVAL OF MATERIAL FROM  
WAFER ALIGNMENT MARKS

**Confirmation No.:** 3991

**Examiner:** L. Vinh

**Group Art Unit:** 1765

**Attorney Docket No.:** 2269-3131.6US

**Notice of Allowance Mailed:**

November 15, 2006

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV 962537920 US

Date of Deposit with USPS: February 15, 2007

Person making Deposit: Erin J. Rowley

**TRANSMITTAL LETTER**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1700.00 in payment therefor of the patent when issued.

Also, enclosed is an Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages), plus attached Replacement Sheet of Drawing (1 sheet) and Annotated Sheet Showing Changes Made (1 sheet); Comments on Statement of Reasons for Allowance (2 pages); and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages).

Applicants understand that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,



James R. Duzan  
Registration No. 28,393  
Attorney for Applicants  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: February 15, 2007

JRD/sfc:lmh

Enclosures: Part B - Issue Fee Transmittal  
Check No. 23487 in the amount of \$1700.00  
Copy of Transmittal Letter  
Amendment Pursuant to 37 C.F.R. § 1.312(a) (11 pages)  
Replacement Sheet of Drawing (1 sheet)  
Annotated Sheet Showing Changes Made (1 sheet)  
Comments on Statement of Reasons for Allowance (2 pages)  
Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re Application of:**

Zahorik et al.

**Serial No.:** 10/647,634

**Filed:** August 25, 2003

**For:** METHODS FOR SELECTIVE  
REMOVAL OF MATERIAL FROM  
WAFER ALIGNMENT MARKS

**Confirmation No.:** 3991

**Examiner:** L. Vinh

**Group Art Unit:** 1765

**Attorney Docket No.:** 2269-3131.6US  
(96-1119.06/US)

NOTICE OF EXPRESS MAILING

Express Mail Mailing Label Number: EV 962537920 US

Date of Deposit with USPS: February 15, 2007

Person making Deposit: Erin J. Rowley

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed November 15, 2006, and sets forth Applicant's comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance, the Examiner indicates:

The applicants have presented persuasive arguments, see pages 6-8 of the response filed 8/31/2006, that the cited prior art of Ohmi (US 5,931,722) fails to disclose or suggest a step of dispensing an etchant through another tubular member having a portion therof surrounded by the tubular member having at least one thin annular edge thereon onto the area of the wafer using the etchant-dispensing apparatus to clean material from the wafer/for selectively removing a material from a wafer as required in claims 1, 13.

Applicants concur with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicants assume that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



James R. Duzan  
Registration No. 28,393  
Attorney for Applicants  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: February 15, 2007  
JRD/sfc:lmh